

1 ROB BONTA
Attorney General of California
2 JANELLE M. SMITH, State Bar No. 231801
Supervising Deputy Attorney General
3 JOHN S. SASAKI, State Bar No. 202161
DAVID M. MEEKER, State Bar No. 273814
4 EMILY M. HAJARIZADEH, State Bar No. 325246
Deputy Attorneys General
5 300 South Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6335
Fax: (916) 713-2128
7 E-mail: John.Sasaki@doj.ca.gov
Attorneys for Respondents/Defendants California
8 Air Resources Board and Executive Officer
Steven S. Cliff
9

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA
12

13 **THE TWO HUNDRED FOR**
14 **HOMEOWNERSHIP, a California**
15 **Nonprofit Public Benefit Corporation,**
16 **ROBERT APODACA, an individual, and**
JOSE ANTONIO RAMIREZ, an individual,

17 Petitioner and Plaintiff,

18 v.

19 **CALIFORNIA AIR RESOURCES BOARD,**
20 **STEVEN S. CLIFF, in his official capacity,**
and DOES 1-25,

21 Respondents and
22 Defendants.
23
24
25
26
27
28

No. 1:22-cv-01474-KES-BAM

STIPULATION AND ~~PROPOSED~~
ORDER RE CONTINUANCE OF
SCHEDULING CONFERENCE

Scheduling Conference

Date: December 17, 2024
Time: 8:30 a.m.
Courtroom: 8
Judge: Barbara A. McAuliffe

Trial Date: None set
Action Filed: November 14, 2022

1 WHEREAS, on March 7, 2023, Respondents filed a motion to dismiss under Rule 12(b) of
2 the Federal Rules of Civil Procedure with regard to all of the claims asserted by Petitioners
3 herein;

4 WHEREAS, as of the filing of this stipulation, the Court has not yet ruled on Respondents'
5 motion to dismiss;

6 WHEREAS, a scheduling conference is currently set in this action for December 17, 2024
7 at 8:30 a.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe;

8 WHEREAS, the Parties previously have met and conferred regarding the matters to be
9 discussed at the scheduling conference, including such related matters as the extent to which the
10 claims asserted by Petitioners might properly be decided based on an administrative record, the
11 preparation of the administrative record and anticipated timing for completion of the record, the
12 possible need for discovery on any non-record based claims, and the appropriate timing of such
13 discovery relative to the Court's decision regarding the record-based claims; and

14 WHEREAS, the Parties agree that they will be in a better position to discuss and reach an
15 agreement regarding these and other scheduling matters after the Court has ruled on Respondents'
16 motion to dismiss.

17 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that the
18 scheduling conference currently set for December 17, 2024 should be continued for a period of
19 four months, or to the Court's earliest available date thereafter.

20 Dated: December 4, 2024

21 ROB BONTA
Attorney General of California

22 /s/ John S. Sasaki

23 JOHN S. SASAKI
24 Deputy Attorney General
25 *Attorneys for Respondents/Defendants*
26 *California Air Resources Board et al.*
27
28

Dated: December 4, 2024

HOLLAND & KNIGHT LLP

/s/ Brian C. Bunger (as authorized on
December 4, 2024)

BRIAN C. BUNGER
*Attorneys for Petitioners/Plaintiffs The Two
Hundred for Homeownership et al.*

ORDER

Based on the foregoing stipulation of the parties, and for good cause shown, the scheduling conference currently set in the above-captioned action for December 17, 2024 at 8:30 a.m. is hereby continued to **April 24, 2025, at 9:00 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe**. The parties shall file a Joint Scheduling Report at least seven (7) days prior to the conference. The parties shall appear at the conference with each party connecting remotely via Zoom video conference. The parties will be provided with the Zoom ID and password by the Courtroom Deputy prior to the conference. The Zoom ID number and password are confidential and are not to be shared. Appropriate court attire required.

IT IS SO ORDERED.

Dated: **December 4, 2024**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE